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Dear Sirs

Re: Public Comments Regarding the Medical Practitioners Tribunal Service (MPTS)
Our Client: Dr Rahmeh Aladwan

We act on behalf of Dr Rahmeh Aladwan, who is subject to ongoing proceedings before the Medical Practitioners Tribunal Service ("MPTS") by the General Medical Council ("GMC").

1. We are writing to express our deep concern about statements made by you, or alternatively on your behalf, on social media and in the press regarding the MPTS proceedings involving our client. We trust that, as Secretary of State for Health and Social Care, you will understand the gravity of a government minister intervening, either directly or indirectly, in ongoing judicial or quasi-judicial proceedings with the GMC.
2. The GMC is currently investigating allegations against our client brought by, among others, the so-called Campaign Against Antisemitism (CAA). The complainants against our client, including CAA, have been lobbying the GMC for the suspension of our client. The GMC made an application to the MPTS's Interim Orders Tribunal for conditional measures (but not a suspension) to be imposed on our client pending its ongoing investigation.
3. On 25 September 2025 the Interim Orders Tribunal held a hearing to determine whether our client should be subject to an interim order pursuant to the Medical Act 1983. The Tribunal was a judicial tribunal of the MPTS. The hearing lasted for most of the day and the Tribunal heard representations from counsel for the GMC and counsel for our client. The Tribunal had hundreds of pages of documents put before it by both the GMC and our client. The Tribunal came to a lawful, reasoned decision on the information before it and produced written reasons which were provided to our client and to the GMC. A journalist from the Daily Telegraph attended the hearing in the public gallery.

4. At 10.08 am the next day, on 26 September 2025, the CAA, a complainant which had also submitted documents to the Tribunal, issued a press release criticising the Tribunal's decision. Extracts from that press release were carried in the Daily Mail and the Daily Telegraph, among others.
5. At approximately 4pm that day, you made the following public statements about our client's ongoing case on X (formerly Twitter):

"The racist language of 'Jewish Supremacy' reflects the values of Nazis, not the NHS.

I fail to see how medics using such language with impunity doesn't undermine confidence in the medical profession. I have no confidence in the our (sic) regulation system"

And

"I am taking urgent advice on next steps. This is a failure of the independent Medical Practitioner tribunals Service.

It is perfectly possible to criticise the Israeli government robustly without resorting to antisemitic tropes, which do nothing to support Palestinian rights".¹

6. You made those statements without having seen or heard any of our client's information, materials or submissions before the Tribunal, and without the benefit of all the materials that were before the Tribunal, which numbered over 700 pages. As a matter of fact, had you done so, you would have learnt that:
 - a. Our client is a Palestinian doctor who has lost 50 friends during the onslaught on Gaza, which the relevant UN Independent Commission of Inquiry has identified as a genocide in the following terms:

"the Israeli security forces have committed crimes against humanity and war crimes in Gaza, including extermination, torture, rape, sexual violence and other inhumane acts, inhuman treatment, forcible transfer, persecution based on gender and starvation as a method of warfare. Furthermore, the Commission found that the Israeli authorities have (i) destroyed in part the reproductive capacity of the Palestinians in Gaza as a group, including by imposing measures intended to prevent births; and (ii) deliberately inflicted conditions of life calculated to bring about the physical destruction of Palestinians as a group, both of which are underlying acts of genocide in the Rome Statute and the Convention on the Prevention and Punishment of the Crime of Genocide ("Genocide Convention").²

¹ <https://x.com/wesstreeting/status/1971591265168113738> and <https://x.com/wesstreeting/status/1971608632073884115>

² Legal analysis of the conduct of Israel in Gaza pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide Conference room paper of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, 16 September 2025, A/HRC/60/CRP.3 at para 3: <chrome-extension://efaidnbmninnibpcajpcglclefindmkaj/https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session60/advance-version/a-hrc-60-crp-3.pdf>

...the Commission concludes that Israeli President Isaac Herzog, Prime Minister Benjamin Netanyahu and then Defence Minister Yoav Gallant, have incited the commission of genocide and that Israeli authorities have failed to take action against them to punish this incitement.³ ... The Commission concludes that the State of Israel bears responsibility for the failure to prevent genocide, the commission of genocide and the failure to punish genocide against the Palestinians in the Gaza Strip.”⁴

- b. That by reference to ‘Jewish supremacism’, our client was referring to the racist legal and political structures applied in Israel and the Occupied Palestinian Territories, which the International Court of Justice has found to amount to the crime of apartheid. Further, our client’s submissions provided further examples of the supremacism to which she referred, the on-record statements of senior Israeli politicians and officials, including of:
 - i. Of Itamar Ben-Gvir, a Minister in the Israeli Government, the leader of a political party called Jewish Power (Otzma Yehudit),⁵ and a person sanctioned by the UK government: "My right, my wife's, my children's, to roam the roads of Judea and Samaria [i.e. the West Bank] are more important than the right of movement of the Arabs"⁶;
 - ii. Israel’s Ambassador to the UK, Tzipi Hotovely, who has stated on record “this land is ours. All of it is ours. We did not come here to apologise for that”⁷ and that Palestinians are thieves of history whose history books are empty, and that she opposes intermarriage between Jews and Arabs;⁸
 - iii. Israeli PM Netanyahu, who has a long history of expressions of racist sentiments against Palestinians, who led the introduction of the Jewish Nation State law about which he commented: “Israel is not a state of all its citizens. According to the basic nationality law we passed, Israel is the nation state of the Jewish people – and only it”;⁹ and
 - iv. By the current President of Israel, Isaac Herzog, who is on record as stating that marriage between Jews and Arabs is a “plague”¹⁰, that there should never be an Arab Prime Minister of Israel;¹¹ and that he does not want to be seen as “an Arab lover”.¹²

- 7. Your statements about our client constitute impermissible interference and pressure by you, the Secretary of State for Health and Social Care, in ongoing judicial and investigative proceedings by a regulator established by the state. As such, your statements amount to a breach of the Ministerial Code and the Code of Conduct of the House of Commons. Further,

³ Ibid at para 253

⁴ Ibid at para 255

⁵ <https://www.britannica.com/biography/Itamar-Ben-Gvir>

⁶ <https://www.bbc.co.uk/news/world-middle-east-66614459>

⁷ <https://www.theguardian.com/world/2020/jun/20/outrage-as-hardliner-tzipi-hotovely-is-chosen-as-next-israeli-ambassador-to-uk>

⁸ <https://www.jpost.com/diaspora/jewish-conservative-youth-group-protests-hotovely-with-occupation-event-665888>

⁹ <https://www.aljazeera.com/news/2019/3/11/benjamin-netanyahu-israel-is-a-state-only-of-the-jewish-people>

¹⁰ <https://forward.com/opinion/404272/new-jewish-agency-chief-learns-quick-lesson-about-intermarriage-its/>

¹¹ <https://www.972mag.com/who-needs-the-right-when-we-have-isaac-herzog/>

¹² <https://www.ashqelon.net/article/7369>.

your statements create a serious and real risk that our client's case will not, and cannot, be determined fairly and impartially.

The Legal Position

8. The GMC is an independent regulator for doctors: *McCulloch and others v Forth Valley Health Board* [2023] UKSC 26; [2024] A.C. 925 at [45]. GMC investigations are meant to be independent from the Secretary of State for Health and Social Care. The Interim Orders Tribunal is a tribunal constituted by the GMC under the Medical Act 1983 and exercises statutory adjudicatory powers under the auspices of the MPTS. The independence of the MPTS exists not merely to protect the interests of individual participants such as Dr Alwadan, but also to ensure public confidence in the fairness and neutrality of the GMC's regulatory activity.
9. Although the MPTS is not a legal entity separate from the GMC, and is therefore not formally a judicial body, it is well settled that it exercises an independent "judicial function, in respect of which the requirement for a fair hearing is protected by both article 6 of the ECHR and the common law" (*Regina (British Medical Association) v General Medical Council* [2016] EWHC 1015 (Admin)[2016] 4 W.L.R. 89).
10. It is, therefore, extraordinary that you have not only commented publicly and to the world at large on our client's ongoing proceedings before the GMC, but also propose to intervene in the regulation of medical professionals by the MPTS in direct response to the MPTS's Interim Orders Tribunal decision in our client's case.
11. That presents an egregious breach of your duties as a Minister to uphold the Rule of Law and also the independence of both the GMC and of judicial proceedings. Further, your statements present a serious breach of your duties under the House of Commons Code of Conduct.

Your duties and the Rule of Law

12. We remind you of your general duty as a Minister to uphold the Rule of Law and judicial independence. Those principles are well understood and need no further articulation; however, if any is needed, we refer you to the statement on 14 October 2024 by the Attorney General Lord Hermer KC, setting out the policy of your government, that "*upholding the rule of law cannot just be left to the courts. All branches of our constitution must see the rule of law, in its fullest sense, as a guiding force for their own actions*";¹³ as well as to the principle enumerated by section (3) 1 of the Constitutional Reform Act 2005: "*The Lord Chancellor, other Ministers of the Crown and all with responsibility for matters relating to the judiciary or otherwise to the administration of justice must uphold the continued independence of the judiciary*".
13. Further, we remind you of your duty pursuant to paragraph 1.4 (c) of the Ministerial Code to adhere to the principle of Objectivity, which requires you "*to act ... impartially, fairly and on merit, using the best evidence*" and without bias. Your statements constitute a clear breach of that principle. Simply put, you have made partial statements to the world at large about our client's ongoing case, without having the benefit of the written or oral evidence before the Interim Orders Tribunal, nor any of the information put forward on Dr Aladwan's behalf, and without any attempt to ascertain the content of such information. Your actions are not

¹³ <https://www.gov.uk/government/speeches/attorney-generals-2024-bingham-lecture-on-the-rule-of-law>

based on merit, nor the best evidence. Further, you have not acted impartially, because you have expressly recycled the one-sided statements presented by those who are themselves the very complaints against our client.

14. Your intervention is a very serious matter which calls into the question of the fairness of the proceedings against our client and your commitment to the duties set out above. Indeed, it is very difficult to see how our client can now possibly be confident in the fairness of the GMC's proceedings against her, and it is difficult to see how our client can be afforded a fair hearing before the MPTS, given that you have:

- a. declared the decision of the Interim Orders Tribunal to be "a failure of the independent Medical Practitioner Tribunals Service";
- b. stated that you are "taking urgent advice on next steps" in respect of her ongoing case, which is meant to be determined independently from you and the Department for Health and Social Care ; and
- c. stated, apparently as a direct result of a judicial decision in our client's case in which you had no role and had neither seen nor heard the evidence, that: "I have no confidence in the our (sic) regulation system"; and
- d. further, in direct response to your comments above, the Board of Deputies stated, "we welcome the Health Secretary's condemnation of the MPTS's shocking failure to protect Jews from antisemitic hate, and we will be following up to ensure this institutional failure is addressed with action as well as words".

15. Your comments also risk defaming our client, given that they imply unfitness to practise and unethical conduct, neither of which has been found or proven by the relevant authority, which has not yet finished its investigations, never mind reached any conclusion on the same.

16. As such it appears that your statements and your intervention contravene paragraph 11 of the House of Commons Code of Conduct,¹⁴ being an attempt improperly to influence active judicial proceedings and/or an independent regulatory investigation. We trust that you are no doubt well aware of the Advice provided to Members by the House of Commons' Committee on Standards in its Report of 21 July 2021, at paragraphs 73 and 74:

"73. Decisions of the judiciary must not be subject to external influence, whether by private individuals, the executive or by individual parliamentarians, for the simple reason that decisions of a court should be made on the merits of the arguments and evidence put before it in accordance with fair processes.

74. Members should not, therefore, seek improperly to influence an active judicial proceeding. "Improper" influence means influence exercised outside the established institutional channels for participating in or engaging with judicial proceedings."

¹⁴ I.e. The Code of Conduct together with The Guide to the Rules relating to the Conduct of Members.

What you are now required to do

17. We require you to:

- a. desist from making further comment about our client's ongoing disciplinary proceedings; and
- b. to confirm in writing by return that you shall not make any further comments on our client's case until it has completed the GMC's regulatory process; and
- c. to confirm that you will not undertake any action, directly or indirectly, to influence the GMC in the investigation or prosecution or processing of complaints against our client.

18. Further, it appears that you have, or may have, had meetings or communications with the complainants in our client's case, as well as with the GMC. Please confirm whether you have held any meetings with, or had any oral or written correspondence about our client or about any of the allegations against her or the decision of the Interim Orders Tribunal with any of the following organisations or persons between 1 August 2025 and 30 September 2025:

- a. The Campaign Against Antisemitism, or any of its employees or trustees;
- b. Physicians Against Antisemitism, or any of its employees or trustees;
- c. Lawyers for Israel, or any of its employees or trustees;
- d. The GMC, including the MPTS, or any of its employees or trustees.
- e. Any other group, or individual.

19. If so, please provide details of those meetings and copies of all relevant communications.

We expect to receive a substantive reply from you **by Friday, 3 October 2025**. In the meantime, all our clients' legal rights, including her rights in defamation and her rights to make a complaint to the House of Commons Commissioner for Standards, are expressly reserved.

We await your urgent response.

Yours faithfully



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